

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RIDGE CORPORATION,

Plaintiff/Counterclaim
Defendant,

v.

TRANSTEX COMPOSITE, INC.,

Defendant/Counterclaim
Plaintiff.

Case No. 2:11-cv-840

Judge Marbley

Magistrate Judge Deavers

Jury Trial Demanded

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Pursuant to Local Patent Rule 105.2(d), Plaintiff/Counterclaim Defendant Ridge Corporation (“Ridge”) and Defendant/Counterclaim Plaintiff Transtex Composite, Inc. (“Transtex”) hereby respectfully submit the Joint Claim Construction and Prehearing Statement.

Agreed-Upon Claim Constructions

Pursuant to Local Patent Rule 105.2(d)(i), the parties hereby identify the construction of the claim terms and phrases on which the parties agree. The identity of the terms and phrases, along with their constructions, is provided in Appendix A.

Disputed Claim Constructions

Pursuant to Local Patent Rule 105.2(d)(ii), the parties each provide its proposed construction of each disputed claim term or phrase, together with an identification of all references from the specification or prosecution history that support that construction and an identification of any extrinsic evidence known to the party on which it intends to rely either to support its proposed construction or to oppose any other party’s proposed construction,

including, but not limited to, dictionary definitions, citations to learned treatises and prior art, and testimony of lay and expert witnesses. The foregoing Local Patent Rule 105.2(d)(ii) disclosure is provided in attached Appendix B. Attached as Appendix C is intrinsic and extrinsic evidence cited by Ridge in support of its claim construction. Attached as Appendix D is intrinsic and extrinsic evidence cited by Transtex in support of its claim construction.

Most Significant Claim Terms

Pursuant to Local Patent Rule 105.2(d)(iii), the parties identify the following terms and phrases the construction of which will be most significant to the resolution of the case.

- “resilient strut”
- “securing”
- “maintaining”
- “strut”
- “intermediate portion”
- “trailer connecting portion”
- “panel”¹

Estimated Time for Claim Construction Hearing

Pursuant to Local Patent Rule 105.2(d)(iv), the parties estimate that they will need 3 to 5 hours, divided equally, for the Claim Construction Hearing.

Witnesses at the Claim Construction Hearing

Pursuant to Local Patent Rule 105.2(d)(v), the parties identify the following witnesses who may be called at trial.

Transtex identifies the following witness who may be called at the Claim Construction Hearing:

¹ The first term three terms were selected by Transtex, the next four were selected by Ridge.

1) James C. Paul, P.E.

Transtex intends to submit testimony via declaration from James C. Paul, P.E., as an expert witness at the Claim Construction Hearing. Mr. Paul will provide testimony on how a person of ordinary skill in the art would understand the meaning of the various claim terms and phrases that are in dispute. Mr. Paul will also offer testimony explaining, from the perspective of one of ordinary skill in the art, the background and technical aspects of the claim terms at issue. Transtex reserves the right to call Mr. Paul as a live witness at the Claim Construction Hearing.

Ridge identifies the following witness who may be called at the Claim Construction Hearing:

1) Robert Harris Earp III

Patent claim interpretation is a question of law exclusively for the Court to decide. It is Ridge's contention that based on the intrinsic evidence related to the Patents at issue, expert testimony is not needed and inappropriate. However, to the extent that the Court determines it wants to consider expert testimony in this case with respect to claim interpretation, Ridge may offer the declaration of Robert Harris Earp III, M.E., as an expert witness at the Claim Construction Hearing. Mr. Earp will provide testimony on how a person of ordinary skill in the art would understand the meaning of various claim terms and phrases that are in dispute. Mr. Earp will also offer testimony explaining, from the perspective of one of ordinary skill in the art, the background and technical aspects of the claim terms at issue. Ridge reserves the right to call Mr. Earp as a live witness at the Claim Construction Hearing.

2) Michael Nranian

Patent claim interpretation is a question of law exclusively for the Court to decide. It is Ridge's contention that based on the intrinsic evidence related to the Patents at issue, expert

testimony is not needed and inappropriate. However, to the extent that the Court determines it wants to consider expert testimony in this case with respect to claim interpretation, Ridge will offer the declaration of Michael Nranian, P.E., as an expert witness at the Claim Construction Hearing. Mr. Nranian will provide testimony on how a person of ordinary skill in the art would understand the meaning of various claim terms and phrases that are in dispute. Mr. Nranian will also offer testimony explaining, from the perspective of one of ordinary skill in the art, the background and technical aspects of the claim terms at issue. Ridge reserves the right to call Mr. Nranian as a live witness at the Claim Construction Hearing.

The parties note that discovery is on-going in this case. The parties respectfully reserve their rights to seek leave to identify additional witnesses and/or that would be probative of the claim constructions identified herein.

Respectfully submitted this 1st day of October 2012,

/s/ Robert G. Schuler
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of October 2012, a copy of the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system, which served a copy on the counsel of record for the parties.

/s/ Robert G. Schuler
Robert G. Schuler